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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE-2001-00664

**To revise its cogeneration tariff pursuant
to PURPA Section 210**

HEARING EXAMINER'S RULING

July 25, 2002

On March 18, 2002, Virginia Electric and Power Company ("Virginia Power") filed with the Commission an application, written testimony, and exhibits to support its proposal to change its cogeneration and small power production payments under Schedule 19. The proposed Schedule 19 utilizes market-based pricing rather than administratively-determined avoided costs to determine its payments to qualifying facilities for energy purchased under the Public Utility Regulatory Policies Act of 1978 ("PURPA"). Virginia Power further proposes that this schedule remain in effect for two years (2002 and 2003).

By order entered on June 13, 2002, the Commission scheduled a hearing on the application, established a procedural schedule for filing testimony and evidence, and appointed a Hearing Examiner to hear the case.

On July 1, 2002, Michigan Cogeneration Systems, Inc. d/b/a/ Landfill Energy Systems ("LES"), and on July 3, 2002, Scott Wood, Inc. ("SWI") filed Notices of Participation in this case. Subsequently, on July 12, 2002, SWI, and on July 19, 2002, LES filed Motions to Withdraw Notices of Participation.

Good cause having been shown, I find that LES's and SWI's Motions to Withdraw Notices of Participation should be, and they are hereby, granted.

Michael D. Thomas
Hearing Examiner